

Remarks

Claims 1-3, 12-15, and 17-19 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,353,892 (Schreiber et al.) "Schreiber '892". Schreiber describes a client computer that receives a modified HTTP page from a server computer in which references to protected images are substituted with references to substitute data. Thus, when rendered by the browser on the client computer, references to substitute data images result in the client browser requesting, receiving, and displaying substitute data for such images. FIG. 4 describes a protection manager tool to enable selection of images at a protection manager computer to be protected at the server computer of Schreiber '892, such that substitute data for such images will be sent in an HTTP page to a requesting client computer.

In order to clarify the invention, rather than to overcome the rejection, Applicants have amended Claim 1 to describe means for registering one or more of second computer systems by uniquely identifying each of the second computer systems with the user of the second computer system, and also to describe means for selecting one or more of such registered second computer systems, and then means for sending content information from the first computer system via the network to at least one of the selected registered second computer systems. Schreiber '892 neither describes, nor is even suggestive, of the claimed registering means, selecting means, or sending means.

First, it is the Examiner's position on page 4, lines 7-9, of the Office Action dated August 26, 2005, that Schreiber '892 at column 9, lines 59, to column 10, line 8, describes the registering means of Claim 1. It is respectfully submitted that the claimed registering means is neither described, nor suggested, by Schreiber '892 at such citation. The only mention of registration is at column 28, lines 63-65, where Schreiber '892 states that "the server computer transmits updated substitute data processing software to each registered client computer, as soon as such client computer connects to the server", and then at column 29, lines 7-9, "[i]n a preferred embodiment of the present invention, each client that downloads a substitute data processor from a server computer is registered in a user database". Schreiber '892 purpose for registering is to track and send to such clients updated substitute data processing software, see column 29, lines 9-10. Such registration of Schreiber '892 does not describe the registering means of Claim 1, since Schreiber '892 does not uniquely identify its client computers with the

users of such client computers as part of its registration. If such were the case, Schreiber '892 would have stated such.

Second, Schreiber '892 fails to describe any means for selecting one or more of such registered second computer systems, and then means for sending content information from the first computer system via the network to at least one of such selected registered second computer systems. It is submitted that Schreiber '892 does not describe any selection of which of its registered client computers will interact with its server computer to receive a modified HTTP page. Any client computer once registered with Schreiber '892's substitute data processing software will operate with its server computer. One may consider that the selection that does occur in Schreiber '892 is not with respect to its client computer, but in regards to whether or not a particular image is protected on a web page. See for example column 9, lines 38-52, column 14, lines 27-31, and flowchart of FIG. 4, in which Schreiber '892 enables owners of digital images to select which images are protected or not. This is not comparable with selection of one or more registered client computers. Thus, Schreiber '892 fails to describe each and every element of Claim 1, and Schreiber '892 cannot anticipate Claim 1. For reasons argued with respect to Claim 1, Schreiber '892 also cannot anticipate amended Claim 17.

In regards to Claims 3 and 19, the Examiner contends on page 5, lines 12-15, of the Office Action of August 26, 2005 that Schreiber '892 shows at column 7, lines 7-25, selection of one or more registered computer systems to display the content information. Column 7, lines 7-25, merely describes that image data may be encrypted, it has nothing to do with selection of computer systems.

In regards to Claim 15, the Examiner contends on page 6, lines 3-4, of the Office Action of August 26, 2005 that Schreiber '892, at column 17, lines 1-19, has content information that is part of a survey. Column 17, lines 1-19, describes steps 602-620 of FIG. 6, and there is nothing in FIG. 6 to suggest that a web page or substitute data is part of a survey. In fact, nowhere in Schreiber '892 does it describe surveys.

For reasons argued above, withdrawal of the rejection of Claim 1 and 17, along with their respective dependent Claims 2-3, 12-15, and 18-19 is respectfully requested. Claims 3, 9, 12, and 19 are amended for purposes of correcting antecedence and as a result of amendments made to their respective base claims, and not for the purpose of overcoming their rejection.

Claims 4, 5, 6-8, 9-11, and 16 were rejected as being unpatentable in view of Schreiber '892 in combination with either U.S. Patent Nos. 6,584,199 (Kim et al.), 5,734,380 (Adams et al.), or U.S. Patent No. 6,477,504 (Hamlin et al.). Kim et al., Adams et al., and Hamlin et. al. fail to provide that absent in Claim 1 of Schreiber '892. Accordingly, withdrawal of the rejection of these claims is requested. Applicants require clarification of the patent number of the secondary reference relied upon at item 11 on page 12 of the Office Action dated August 26, 2005, if after this Amendment, Claims 6-8 continue to be rejected.

Claim 26 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,818,935 (Maa). Claim 26 describes each of the computer systems as having a display and a user interface in which, when a file is played, signals from the user interface at the second computer system are ignored which enable access to the decrypted file, and when another window is selected than the window displaying the decrypted file, disables the playing of the decrypted file. It is the Examiner's position at the last paragraph on page 2 of the Office Action dated August 26, 2005 that "Maa teaches a web browser that is a user interface for playing a decrypted file, such that when another window is selected than the window displaying the decrypted file, the playing of the decrypted file is disabled". The Examiner in the first paragraph of page 8 of the same Office Action supports his position by citing to column 11, lines 28-60, of Maa. As cited in MPEP 2131, the Federal Circuit in Verdegaal Bros. stated that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" Verdegaal Bros. v. Union Oil Co. of California, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). It is respectfully submitted that Maa fails to meet this standard, since nowhere in Maa is the user interface of Claim 26 described, expressly or inherently, either at column 11, lines 28-60, cited by the Examiner, or elsewhere in Maa. Thus, Maa cannot anticipate Claim 26, and withdrawal of this rejection is requested.

Claims 27-32 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,102,287 (Matyas, Jr.) "Matyas". Nowhere in Matyas is there an information file encrypted which is sent as part of its survey questionnaires to buyers (see Matyas at column 19, lines 37-43), rather Matyas describes the responses to its survey questionnaires are encrypted (see Matyas at column 20, lines 51-54).

The Examiner states that Claim 3 describes sending out encrypted survey. It is respectfully submitted that the Claim 3 of Matyas must be read with its base Claim 1 and intervening Claim 2. As set forth in MPEP 608.01(n) “a dependent claim is directed to a combination including everything recited in the base claim and what is recited in the dependent claim...as if it were presented as one independent claim.” Claim 1 describes “maintaining product survey information based upon responses from buyers that have purchased products...receiving a survey response...and incorporating the [survey] response into the product survey information.” Claim 2 depends on Claim 1 and describes “providing product survey information to a prospective buyer upon request from that buyer”. Claim 3 depends on Claim 2 and describes the product survey information, i.e., having survey responses from buyers that have purchases products, provided to the prospective buyer as being in encrypted form. Thus, in Claim 3 the information in encrypted form must be the responses to surveys provided by buyers, which is not comparable to the survey sent to the buyer to be answered, as the Examiner appears to contend. This is supported elsewhere in Matyas at column 19, lines 37-43, and column 20, lines 51-54.

In order to clarify Claims 27 and 30, rather than to overcome the rejection, Claims 27 and 30 has been amended to describe the survey as representing one or more questions answerable by the user of the client computer system. The encrypted information sent in the system described by the combination of Claims 1-3 of Matyas, provided to prospective buyers are responses to survey and not questions soliciting such responses. Clearly, nowhere in Matyas is there an information file encrypted which is sent for carrying out a survey of questions answerable by a user, as described in Claims 27 and 30. Thus, Matyas cannot anticipate Claims 27 and 30 or their respective dependent Claims 29 and 31-32. Claim 28 is cancelled without prejudice as its subject matter is more clearly expressed in new claims. In view of the above, withdrawal of the rejection of Claims 27 and 29-32 is requested.

New Claims 33-38 have been added to the Application. Independent Claim 33 describes a system having a first computer system which sends a survey to the second computer system via the Internet which references a network address to obtain a file for the survey, and the second computer system has memory and downloads the file from the network address for storage in such memory in which the file is encrypted, the second computer system requests a key to decrypt the encrypted file from a network address where the key is available, receives a key

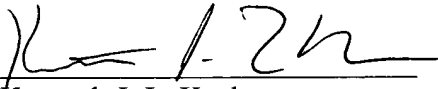
when the second computer system is associated with a participant selected to take the survey, and decrypts the file in accordance with the key and plays the decrypted file as part of the survey. Accordingly, Claim 33 is a system version of allowed method Claim 20. The first paragraph of Claim 33 is primarily to provide antecedence to the part of the claim having language of allowed Claim 20. Claims 34-38 depends on Claim 33 and has language similar to allowed Claims 21-25, respectively. Thus, Claims 33-38 should also be allowed.

Claims 39-41 have also been added to the Application and describe a system for conducting surveys which is believed patentable over Schreiber '892, Kim et al., Adams et al., Hamlin et al., Maa, and Matyas, either alone or in combination.

It is believed the Application is in condition for allowance, and a notice of allowance is respectfully respected. A Petition for One-Month Extension of Time is enclosed along with a check for \$720 for the petition fee and additional claim fee.

Respectfully submitted,

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Kenneth J. LuKacher
Attorney for Applicant(s)
Registration No. 38,539

South Winton Court
3136 Winton Road South, Suite 301
Rochester, New York 14623
Telephone: (585) 424-2670
Facsimile: (585) 424-6196

Enclosure: Combined Amendment Transmittal and Petition for Extension of Time
with a check in the amount of \$720.00.